

(III) SUFFICIENCY.—If the Secretary of Commerce determines that a covered entity cannot feasibly issue warrants or other equity interests as required by this subparagraph, the Secretary of Commerce may accept a senior debt instrument in an amount and on such terms as the Secretary of Commerce deems appropriate.

(C) DEFINITIONS.—In this paragraph:

(i) COVERED PROJECT LABOR AGREEMENT.—The term “covered project labor agreement” means a project labor agreement that—

(I) binds all contractors and subcontractors on a construction project through the inclusion of appropriate specifications in all relevant solicitation provisions and contract documents;

(II) allows all contractors and subcontractors to compete for contracts and subcontracts without regard to whether they are otherwise a party to a collective bargaining agreement;

(III) contains guarantees against strikes, lockouts, and other similar job disruptions;

(IV) sets forth effective, prompt, and mutually binding procedures for resolving labor disputes arising during the covered project labor agreement; and

(V) provides other mechanisms for labor-management cooperation on matters of mutual interest and concern, including productivity, quality of work, safety, and health.

(ii) PROJECT LABOR AGREEMENT.—The term “project labor agreement” means a pre-hire collective bargaining agreement with one or more labor organizations that establishes the terms and conditions of employment for a specific construction project and is described in section 8(f) of the National Labor Relations Act (29 U.S.C. 158(f)).

**SA 1925.** Mr. SANDERS submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

Beginning on page 499, strike line 20 and all that follows through page 501, line 11.

**SA 1926.** Mr. RISCH (for himself, Mr. CRAPO, Ms. ROSEN, Mrs. CAPITO, and Ms. CORTEZ MASTO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the appropriate place, insert the following:

**SEC. \_\_\_\_ . FEDERAL AND STATE TECHNOLOGY PARTNERSHIP PROGRAM.**

Section 34 of the Small Business Act (15 U.S.C. 657d) is amended—

(1) in subsection (a), by adding at the end the following:

“(11) UNDERPERFORMING STATE.—The term ‘underperforming State’ means a State participating in the SBIR or STTR program that has been calculated by the Administrator to be one of 26 States receiving the fewest SBIR and STTR first phase awards (as described in paragraphs (4) and (6), respectively, of section 9(e)).”;

(2) in subsection (c)—

(A) in paragraph (1)—

(i) in subparagraph (E)—

(I) in clause (iii), by striking “and” at the end;

(II) in clause (iv), by striking the period at the end and inserting “; and”; and

(III) by adding at the end the following:

“(v) to prioritize applicants located in an underperforming State.”;

(B) in paragraph (2)(B)(vi)—

(i) in subclause (II), by striking “and” at the end; and

(ii) by adding at the end the following:

“(IV) located in an underperforming State; and”;

(C) in paragraph (3), by striking “Not more than one proposal” and inserting “There is no limit on the number of proposals that”; and

(D) by adding at the end the following:

“(6) ADDITIONAL ASSISTANCE FOR UNDERPERFORMING STATES.—Upon application by a recipient that is located in an underperforming State, the Administrator may—

“(A) provide additional assistance to the recipient; and

“(B) waive the matching requirements under subsection (e)(2).”

“(7) LIMITATION ON AWARDS.—The Administrator may only make 1 award or enter into 1 cooperative agreement per State in a fiscal year.”;

(3) in subsection (e)—

(A) in paragraph (2)—

(i) to by amending subparagraph (A) to read as follows:

“(A) IN GENERAL.—The non-Federal share of the cost of an activity (other than a planning activity) carried out using an award or under a cooperative agreement under this section shall be—

“(i) 25 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in an underperforming State, as calculated using the data from the previous fiscal year; and

“(ii) except as provided in subparagraph (B), 75 cents for each Federal dollar, in the case of a recipient that will serve small business concerns located in a State that is not described in clause (i) that is receiving SBIR and STTR first phase awards, as described in paragraphs (4) and (6), respectively, of section 9(e).”;

(ii) in subparagraph (D), by striking “, beginning with fiscal year 2001” and inserting “and make publicly available on the website of the Administration, beginning with fiscal year 2022”; and

(iii) by adding at the end the following:

“(E) PAYMENT.—The non-Federal share of the cost of an activity carried out by a recipient may be paid by the recipient over the course of the period of the award or cooperative agreement.”; and

(B) by adding at the end the following:

“(4) AMOUNT OF AWARD.—In carrying out the FAST program under this section—

“(A) the Administrator shall make and enter into awards or cooperative agreements;

“(B) each award or cooperative agreement described in subparagraph (A) shall be for not more than \$500,000, which shall be provided over 2 fiscal years; and

“(C) any amounts left unused in the third quarter of the second fiscal year may be retained by the Administrator for future FAST program awards.

“(5) REPORTING.—Not later than 6 months after receiving an award or entering into a cooperative agreement under this section, a recipient shall report to the Administrator—

“(A) the number of awards made under the SBIR or STTR program;

“(B) the number of applications submitted for the SBIR or STTR program;

“(C) the number of consulting hours spent;

“(D) the number of training events conducted; and

“(E) any issues encountered in the management and application of the FAST program.”;

(4) in subsection (f)—

(A) in paragraph (1)—

(i) in the matter preceding subparagraph (A)—

(I) by striking “Small Business Innovation Research Program Reauthorization Act of 2000” and inserting “United States Innovation and Competition Act”; and

(II) by inserting “and Entrepreneurship” before “of the Senate”;

(ii) in subparagraph (B), by striking “and” at the end;

(iii) in subparagraph (C), by striking the period at the end and inserting “; and”; and

(iv) by adding at the end the following:

“(D) a description of the process used to ensure that underperforming States are given priority application status under the FAST program.”; and

(B) in paragraph (2)—

(i) in the paragraph heading, by striking “ANNUAL” and inserting “BIENNIAL”;

(ii) in the matter preceding subparagraph (A), by striking “annual” and inserting “biennial”;

(iii) in subparagraph (B), by striking “and” at the end;

(iv) in subparagraph (C), by striking the period at the end and inserting a semicolon; and

(v) by adding at the end the following:

“(D) the proportion of awards provided to and cooperative agreements entered into with underperforming States; and

“(E) a list of the States that were determined by the Administrator to be underperforming States, and a description of any changes in the list compared to previously submitted reports.”; and

(5) in subsection (g)(2)—

(A) by striking “2004” and inserting “2022”; and

(B) by inserting “and Entrepreneurship” before “of the Senate”.

**SA 1927.** Mr. ROMNEY submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resiliency program, and for other purposes; which was ordered to lie on the table; as follows:

At the end of subtitle C of title IV of division D, add the following:

**SEC. 4463. REPORT ON DOMESTIC PROCESSING OF RARE EARTHS.**

(a) IN GENERAL.—Not later than 90 days after the date of the enactment of this Act, the Under Secretary of Defense for Acquisition and Sustainment shall submit to the appropriate committees of Congress a report on the authority and funding required to create long-term contracts for domestic processing of heavy rare earths sufficient to achieve

supply chain independence for the United States Armed Forces and key allies and partners of the United States.

(b) **ELEMENTS.**—The report required by subsection (a) shall include the following:

(1) An estimate of the annual demand for processed heavy rare earths for the United States Armed Forces and key allies and partners of the United States.

(2) An outline of the necessary processed heavy rare earths value chain required to support the needs of the Department of Defense.

(3) An assessment of gaps in the outline described in paragraph (2) indicating where sufficient domestic capacity already exists and where such capacity does not exist.

(4) An identification of any Federal funds, including any funds made available under title III of the Defense Production Act of 1950 (50 U.S.C. 4531 et seq.), currently being deployed to support creation of domestic capacity to address those gaps.

(5) An estimate of the additional capital investment required to build and operate capacity to address those gaps.

(6) An estimate of the annual funding necessary for the Department of Defense to procure domestically processed heavy rare earths sufficient to meet its annual needs, including consideration of increased investments from private sector capital.

(7) An estimate of the cost difference between the Department of Defense sourcing rare earths processed in the United States and sourcing rare earths on the open market.

(8) An identification of how the Department of Defense would direct its weapon suppliers to use the domestically processed heavy rare earths.

(9) An assessment of what changes, if any, to authorities under title III of the Defense Production Act of 1950 are necessary to enter into a long-term offtake agreement to contract for domestically processed rare earths.

(10) An assessment of the length of potential contracts necessary for preventing the collapse of domestic processing of rare earths in the case of price fluctuations from increases in the People's Republic of China's export quota.

(11) Recommendations for international cooperation with allies to jointly reduce dependence on rare earths processed in the People's Republic of China.

(c) **FORM OF REPORT.**—The report required by subsection (a) shall be submitted in classified form but shall include an unclassified summary.

(d) **APPROPRIATE COMMITTEES OF CONGRESS DEFINED.**—In this section, the term “appropriate committees of Congress” means—

(1) the Committee on Energy and Natural Resources, the Committee on Armed Services, the Committee on Foreign Relations, and the Committee on Banking, Housing, and Urban Affairs of the Senate; and

(2) the Committee on Natural Resources, the Committee on Armed Services, the Committee on Foreign Affairs, and the Committee on Financial Services of the House of Representatives.

**SA 1928.** Mr. ROMNEY (for himself and Mr. RUBIO) submitted an amendment intended to be proposed to amendment SA 1502 proposed by Mr. SCHUMER to the bill S. 1260, to establish a new Directorate for Technology and Innovation in the National Science Foundation, to establish a regional technology hub program, to require a strategy and report on economic security, science, research, innovation, manufacturing, and job creation, to establish a critical supply chain resili-

ency program, and for other purposes; which was ordered to lie on the table; as follows:

In subtitle A of title II of division C, insert after section 3217 the following:

**SEC. 3218. REPORT AND SANCTIONS WITH RESPECT TO EFFORTS BY GOVERNMENT OF THE PEOPLE'S REPUBLIC OF CHINA TO CENSOR INFORMATION REGARDING THE PANDEMIC CAUSED BY SARS-COV-2.**

(a) **REPORT REQUIRED.**—

(1) **IN GENERAL.**—Not later than 180 days after the date of the enactment of this Act, the Director of National Intelligence, in coordination with the Secretary of State, the Secretary of Health and Human Services, and the heads of such other Federal agencies as the Director considers appropriate, shall submit to the appropriate committees of Congress a report on actions taken by the Government of the People's Republic of China to censor information regarding the pandemic caused by the SARS-CoV-2 virus.

(2) **CONTENTS.**—The report required by paragraph (1) shall include the following:

(A) A review of the response, including any arbitrary detentions, forced disappearances, other retaliation, or suppression of freedom of expression, of the Government of the People's Republic of China to individuals who provided or attempted to provide accurate epidemiological information related to SARS-CoV-2 or warn of the potential seriousness or impact of SARS-CoV-2, including Li Wenliang and other doctors, journalists, other citizens of the People's Republic of China, and other relevant persons.

(B) An identification of keywords banned by the internet firewall system of the Government of the People's Republic of China (known as the “Great Firewall”) during the quarantine in Wuhan or thereafter relevant to the pandemic caused by SARS-CoV-2.

(C) Any other elements that the Secretary considers relevant.

(3) **FORM.**—The report required by paragraph (1) shall be submitted in unclassified form but may include a classified annex.

(4) **PUBLIC AVAILABILITY.**—The Director shall make available to the public the unclassified portion of the report submitted under paragraph (1).

(b) **LIST OF GOVERNMENT OFFICIALS.**—Not later than 180 days after the date of the enactment of this Act, the Secretary of State, in consultation with the Director of National Intelligence, the Secretary of the Treasury, the Secretary of Health and Human Services, and the heads of such other Federal agencies as the Secretary of State considers appropriate, shall submit to the appropriate committees of Congress a list identifying officials of the Government of the People's Republic of China responsible for any of the following actions with respect to individuals who provided or attempted to provide accurate epidemiological information related to SARS-CoV-2 or warn of the potential seriousness or impact of SARS-CoV-2:

(1) Arbitrary detention.

(2) Forced disappearance.

(3) Other retaliation.

(4) Suppression of freedom of expression.

(c) **IMPOSITION OF SANCTIONS.**—The President shall impose the following sanctions with respect to each person on the list required by subsection (b):

(1) **BLOCKING OF PROPERTY.**—The exercise of all powers granted to the President by the International Emergency Economic Powers Act (50 U.S.C. 1701 et seq.) to the extent necessary to block and prohibit all transactions in all property and interests in property of the person if such property and interests in property are in the United States, come within the United States, or are or come

within the possession or control of a United States person.

(2) **INELIGIBILITY FOR VISAS, ADMISSION, OR PAROLE.**—

(A) **VISAS, ADMISSION, OR PAROLE.**—In the case of a person that is an alien, the alien is—

(i) inadmissible to the United States;

(ii) ineligible to receive a visa or other documentation to enter the United States; and

(iii) otherwise ineligible to be admitted or paroled into the United States or to receive any other benefit under the Immigration and Nationality Act (8 U.S.C. 1101 et seq.).

(B) **CURRENT VISAS REVOKED.**—

(i) **IN GENERAL.**—An alien described in subparagraph (A) is subject to revocation of any visa or other entry documentation regardless of when the visa or other entry documentation is or was issued.

(ii) **IMMEDIATE EFFECT.**—A revocation under clause (i) shall—

(I) take effect immediately; and

(II) automatically cancel any other valid visa or entry documentation that is in the alien's possession.

(d) **IMPLEMENTATION; PENALTIES.**—

(1) **IMPLEMENTATION.**—The President may exercise all authorities provided under sections 203 and 205 of the International Emergency Economic Powers Act (50 U.S.C. 1702 and 1704) to carry out this section.

(2) **PENALTIES.**—A person that violates, attempts to violate, conspires to violate, or causes a violation of subsection (c)(1) or any regulation, license, or order issued to carry out that subsection shall be subject to the penalties set forth in subsections (b) and (c) of section 206 of the International Emergency Economic Powers Act (50 U.S.C. 1705) to the same extent as a person that commits an unlawful act described in subsection (a) of that section.

(e) **NATIONAL INTEREST WAIVER.**—The President may waive the imposition of sanctions under subsection (c) with respect to a person if the President—

(1) determines that such a waiver is in the national interests of the United States; and

(2) submits to the appropriate committees of Congress a notification of the waiver and the reasons for the waiver.

(f) **EXCEPTIONS.**—

(1) **INTELLIGENCE ACTIVITIES.**—This section shall not apply with respect to activities subject to the reporting requirements under title V of the National Security Act of 1947 (50 U.S.C. 3091 et seq.) or any authorized intelligence activities of the United States.

(2) **LAW ENFORCEMENT ACTIVITIES.**—Sanctions under this section shall not apply with respect to any authorized law enforcement activities of the United States.

(3) **EXCEPTION TO COMPLY WITH INTERNATIONAL AGREEMENTS.**—Subsection (c)(2)(B) shall not apply with respect to the admission of an alien to the United States if such admission is necessary to comply with the obligations of the United States under the Agreement regarding the Headquarters of the United Nations, signed at Lake Success June 26, 1947, and entered into force November 21, 1947, between the United Nations and the United States, under the Convention on Consular Relations, done at Vienna April 24, 1963, and entered into force March 19, 1967, or under other international agreements.

(4) **EXCEPTION RELATING TO IMPORTATION OF GOODS.**—

(A) **IN GENERAL.**—The authority or a requirement to impose sanctions under this section shall not include the authority or a requirement to impose sanctions on the importation of goods.

(B) **GOOD DEFINED.**—In this paragraph, the term “good” means any article, natural or manmade substance, material, supply, or manufactured product, including inspection